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THE CITY OF

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April 3, 2009

Michael Berkoff
Remedial Project Manager
United States Environmental Protection Agency
U.S. EPA Region 5
Superfund Division Remedial Response Section #2
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Dear Mr. Berkoff:

vague -

I feel compelled to prepare this letter to communicate the City of Kalamazoo's ongoing concerns relative to the additional investigation workplan prepared by Arcadis, on behalf of Millennium Holdings, LLC, at the Allied Paper Site, OU-1. I appreciate your efforts to date with respect to encouraging discussion among all stakeholders, particularly your willingness to accept input from the City of Kalamazoo, but I am concerned that the plan prepared by Arcadis is inadequate to address outstanding issues relative to the site hydrogeologic conditions and potential threat to the City water supply wells. As has been previously stated, I believe the City's issues, with respect to the potential for offsite impact, are fundamental to the Remedial Investigation (RI) and an understanding of the site characteristics. At this point and subsequent to two conference calls, I believe the City's concerns are not being addressed. I must reiterate that these concerns are driven by the fact that we are the primary stewards of the groundwater supply to provide safe drinking water to approximately 123,000 customers.

The primary issue is Arcadis' insistence on using mostly existing information, with limited new field work, to further characterize the site instead of filling the data gaps with additional shallow and deep offsite monitoring wells in the apparent downgradient direction with corresponding chemical sampling. Their plan, as currently proposed, will still not provide an adequate understanding of the subsurface and the extent of groundwater contamination migrating offsite and its potential impact on drinking water receptors.

The City's specific issues of concern are listed below.

- The issuance of the RI Report without adequate knowledge and characterization of the site's hydrogeology was premature, particularly since the Responsible Party's (RP's) consultant so much as admitted during the March 25, 2009 conference call that the site hydrogeology characteristics were not fully understood. Furthermore, the lack of any mention of possible receptors in the vicinity of the site and associated discussion of a potential pathway demonstrates the lack of comprehensive and appropriate research.

that in Tech
number
not RI
dis. of city

No. on specific info says it to creek. Though, a natural creek model, it based on more data averages. This effort to stop both & put it into a bigger picture.

- Five —
- The proposed Draft "Groundwater Evaluation and Work Plan for Supplemental Investigation Allied Paper, Inc. Operable Unit, OU-1" was prepared to allegedly address those concerns but cannot be supported by the City of Kalamazoo as it is currently written.

- these other wells serve same purpose. question is about to the well field. not all off-site stuff.
- In December, 2008, the EPA indicated that it was committed to the installation of sentinel wells to address the issue of a potential groundwater pathway. Instead, Arcadis, on behalf of Millennium Holdings, prepared a groundwater monitoring plan that did not include any new appropriately placed new monitoring wells.

basic question. This is not from remembrance.

As stated in the second conference call on March 25, the City has a fundamental difference of proposed strategies to determine whether a groundwater pathway exists between OU-1 and the City's subject wellfields. The current draft of the proposal only addresses use of hydraulic analyses. Based on all of the information collected to date, the City believes there is a reasonable likelihood that contaminants may have already migrated off-site from OU-1. Consequently, it is imperative that water quality sampling for contaminants of concern be performed (i.e. metals, PCBs, VOCs, and general chemistry) coupled with the proposed additional hydraulic evaluation.

- Use of only hydraulic evaluation without the addition of geochemistry evaluation (water quality analyses) is fundamentally contrary to sound scientific methodology for similar contamination migration investigations. It is standard protocol to use all reasonable methodologies to determine whether contamination has migrated off site — especially where onsite contaminant levels are known to have exceeded screening criteria and a Public Water Supply System is a potential receptor. If it were any other party, the USEPA and the MDEQ would mandate use of both methodologies from an applicant under such a multitude of contaminant exceedances and a potential down-gradient Public Water Supply System receptor to determine whether contaminant migration has occurred or if it is likely to do so. Further, the plan precludes consideration of chemical transport mechanisms, such as diffusion or dispersion that can overcome hydraulic gradients in some instances.
- Excluding the consideration of approximately four (4) years of post 2003 obtained information is inappropriate at best and scientifically questionable. The RI Report was released in March 2008, while reportedly, Millennium Holdings has been collecting water level measurements from the Allied OU-1 site on a monthly, then quarterly frequency since June 2004. Has any other data been collected since 2003 (e.g., water quality sampling) and if so, will that data be evaluated, publicly presented and made available?
- The City has been completely cooperative in providing its concerns in written form, including multiple letters, attachments, boring logs, pumping records, groundwater modeling reports, geochemistry data, and a technical report addressing the RI Report, and has participated in multiple meetings and conference calls. The USEPA has not provided any response in written form to the written correspondence; however, the City continuously receives requests for additional information.

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I believe each of these issues should be discussed and resolved prior to our April 14, 2009 meeting in Kalamazoo, Michigan. This will serve to make the meeting more productive, *eliminate unnecessary further discussion relative to details, and facilitate completion and finalization of the workplan acceptable to all.* Otherwise, I believe that the meeting will be nonproductive and unsatisfactory to all parties involved.

The City of Kalamazoo has devoted numerous hours of time and thousands of dollars to work diligently on and professionally investigate this issue. This has been done to ensure that the adequate and representative data is produced and utilized in order to properly finalize the RI. Quite frankly, I believe the City has been the lone citizen watchdog on this issue while the USEPA and some divisions of the MDEQ seem to be far more supportive of the Responsible Party and their efforts to do a minimal amount of work. The perception, from my perspective, is that Superfund timetables and a rush to get the job done have taken precedence over public health and safety.

In summary, I am asking that the USEPA do what is necessary to ensure that adequate data is collected and properly analyzed to ensure that the citizens of the City of Kalamazoo can be assured of safe drinking water for centuries to come. If the Responsible Party is unwilling or unable to do the work, then the USEPA should be ready, willing and able to step in and ensure that such work is completed. I certainly appreciate your efforts to date and hope that you will be supportive of the City's position and ultimate goal of protecting the City water supply system.

Sincerely,



Bruce E. Merchant
Public Services Director

- c K. Collard, City Manager
- M. Wetzel, Environmental Services Superintendent
- J. Paquin, Water Resource Manager
- R. Burns, NTH, Inc.
- J. Spoelstra, Kalamazoo River Watershed Council
- G. Wager, Kalamazoo River Clean Water Coalition
- File